

DRAFT

PUBLIC UTILITIES COMMISSION OF THE STATE OF CALIFORNIA

ENERGY DIVISION

**Agenda ID 12453
RESOLUTION E-4616
October 31, 2013**

**REDACTED
RESOLUTION**

Resolution E-4616. Southern California Edison Company requests a resolution approving a change to the Point of Interconnection for the Silver State Solar Power South project. The Silver State Solar Power South, LLC power purchase agreement was previously approved by the Commission in E-4438 on February 12, 2013.

PROPOSED OUTCOME: This Resolution approves a change in the Point of Interconnection for the Silver State Solar Power South project.

SAFETY CONSIDERATIONS: Based on the information before us, the change to the point of interconnection in the PPA does not appear to result in any adverse safety impacts on the facilities or operations of SCE.

ESTIMATED COST: The incremental cost to interconnect at a different Point of Interconnection is approximately \$60 million.

By Advice Letter 2905-E filed on May 24, 2013.

SUMMARY

Southern California Edison Company's (SCE) request to change the Point of Interconnection (POI) for the Silver State Solar Power South project is approved.

SCE filed Advice Letter (AL) 2581-E on May 6, 2011 requesting approval of a 20-year Purchase Power Agreement (PPA) with Silver State Solar Power South, LLC ("Silver State" or "Project"), a wholly-owned subsidiary of First Solar, LLC,

which resulted from bilateral negotiations. The Commission approved the PPA in Resolution E-4438 on February 12, 2013.

In AL 2581-E, SCE originally stated that the 250 megawatt (MW) photovoltaic facility would interconnect into the California Independent System Operator (CAISO) balancing authority area at the proposed Ivanpah Substation, which will be built as part of the approved Elorado-Ivanpah Transmission Project (EITP). According to SCE in AL 2905-E, SCE later learned that its identification of the Silver State project's POI in AL 2581-E was incorrect and that the real POI was the Primm Switchyard, which is not part of the EITP. The incremental cost for reliability network upgrades to interconnect at the Primm Switchyard versus the Ivanpah substation is estimated at approximately \$60 million. This incremental cost will be reimbursed by ratepayers through the Transmission Access Charge (TAC).

The following table summarizes the Project-specific features of the agreement as previously approved in Resolution E-4438 on February 12, 2013.

Generating Facility	Type	Term Years	MW Capacity	Annual Deliveries	Online Date	Project Location
Silver State Solar Power South	Solar PV	20	250	613 GWh	May 31, 2017	Clark County, NV

BACKGROUND

Overview of the Renewables Portfolio Standard (RPS) Program

The California RPS program was established by Senate Bill (SB) 1078, and has been subsequently modified by SB 107, SB 1036, and SB 2 (1X).¹ The RPS program is codified in Public Utilities Code Sections 399.11-399.31.² Under SB 2 (1X), the RPS program administered by the Commission requires each retail seller to procure eligible renewable energy resources so that the amount of electricity generated from eligible renewable resources be an amount that equals

¹ SB 1078 (Sher, Chapter 516, Statutes of 2002); SB 107 (Simitian, Chapter 464, Statutes of 2006); SB 1036 (Perata, Chapter 685, Statutes of 2007); SB 2 (1X) (Simitian, Chapter 1, Statutes of 2011, First Extraordinary Session).

² All further references to sections refer to Public Utilities Code unless otherwise specified.

an average of 20 percent of the total electricity sold to retail customers in California for compliance period 2011-2013; 25 percent of retail sales by December 31, 2016; and 33 percent of retail sales by December 31, 2020.³

Additional background information about the Commission's RPS Program, including links to relevant laws and Commission decisions, is available at <http://www.cpuc.ca.gov/PUC/energy/Renewables/overview.htm> and <http://www.cpuc.ca.gov/PUC/energy/Renewables/decisions.htm>.

NOTICE

Notice of AL 2905-E was made by publication in the Commission's Daily Calendar. Southern California Edison Company states that a copy of the Advice Letter was mailed and distributed in accordance with § 3.14 of General Order 96-B.

DISCUSSION

SCE requests that the Commission issue a resolution containing the following findings:

1. The corrected POI for the Silver State project approved in E-4438 is the Primm Switchyard;
2. E-4438 is restated with the information provided in AL 2905-E;
3. Any other and further relief as the Commission finds just and reasonable.

Energy Division Evaluated SCE's Request to Change the POI on the Following Grounds:

- Price Reasonableness and Value

³ Decision (D.) 11-12-020 established a methodology to calculate procurement requirement quantities for the three different compliance periods set forth in Section 399.15 (2011-2013, 2014-2016, and 2017-2020).

Price Reasonableness and Value

The Silver State project was negotiated as a bilateral contract after the close of SCE's 2009 RPS Solicitation. The contract was executed in February 2011, over a year after the 2009 solicitation. When the value, as measured by the net market value (NMV), and the price of the Silver State PPA are compared against the value and price of competing PPAs that bid into the 2009 RPS Solicitation, the Silver State PPA still compares favorably with the inclusion of the additional network upgrade costs to interconnect the project at the Primm Switchyard. The Silver State PPA also still compares favorably to PPAs that were executed in the same time frame.

The Commission finds that the value and price of the Silver State PPA is still reasonable and competitive when compared against SCE's 2009 RPS shortlist and other PPAs offered to SCE during the period that the Silver State PPA was negotiated and executed. See Confidential Appendix A for a value and price comparison of the Silver State PPA to its cohorts.

PROTESTS

A late protest to AL 2905-E was filed on May 24, 2013 by a private citizen. Energy Division accepted the late protest on July 25, 2013. SCE filed its reply comments related to the protest letter on August 1, 2013.

The individual argues that the Commission should reconsider approval of the Silver State project because of uncertainty related to the permitting process. SCE responded that the Silver State project was already approved by the Commission in E-4438 on February 12, 2013 and that any environmental issues are outside of the scope of AL 2905-E which solely seeks Commission approval for a change in the POI of the Silver State project. Energy Division agrees with SCE. Any permitting considerations for the Silver State project were already evaluated when the Commission approved the Silver State South PPA in Resolution E-4438.

The individual also expressed concern that the increase in network upgrade costs is unreasonable. SCE responded that the total cost of the Silver State project still remains competitive when compared to other contracts executed in the same time frame. Energy Division agrees with SCE. Confidential documentation provided in AL 2905-E supports SCE's claim that the PPA still remains competitive when compared to other PPA's executed within the same time frame. See Confidential Appendix A for this comparison.

CONFIDENTIAL INFORMATION

The Commission, in implementing Pub. Util. Code § 454.5(g), has determined in D.06-06-066, as modified by D.07-05-032, that certain material submitted to the Commission as confidential should be kept confidential to ensure that market sensitive data does not influence the behavior of bidders in future RPS solicitations. D.06-06-066 adopted a time limit on the confidentiality of specific terms in RPS contracts. Such information, such as price, is confidential for three years from the date the contract states that energy deliveries begin, except contracts between IOUs and their affiliates, which are public.

The confidential appendices, marked "[REDACTED]" in the public copy of this resolution, as well as the confidential portions of the advice letter, should remain confidential at this time.

COMMENTS

Public Utilities Code Section 311(g)(1) requires that a draft resolution be served on all parties, and be subject to a public review and comment period of 30 days or more, prior to a vote of the Commission on the resolution. A draft of today's resolution was distributed for comment to SCE, the service list and other interested parties.

FINDINGS AND CONCLUSIONS

1. The value and price of the Silver State PPA is still reasonable and competitive when compared against SCE's 2009 RPS shortlist and other PPAs that were offered to SCE during the period that the Silver State PPA was negotiated and executed.
2. The Sean Gonzalez protest should be denied.
3. The confidential appendices, marked "[REDACTED]" in the public copy of this resolution, as well as the confidential portions of the advice letter, should remain confidential at this time.
4. AL 2905-E should be approved effective today.

THEREFORE IT IS ORDERED THAT:

1. The corrected Point of Interconnection for the Silver State project approved in E-4438 is the Primm Switchyard.
2. E-4438 is restated with the information provided in AL 2905-E.

This resolution is effective today.

I certify that the foregoing resolution was duly introduced, passed and adopted at a conference of the Public Utilities Commission of the State of California held on October 31, 2013; the following Commissioners voting favorably thereon:

PAUL CLANON
Executive Director

Confidential Appendix A

[Redacted]